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EXAMINER	
AL AUBAIDI, RASHA S	

ART UNIT	PAPER NUMBER
2642	14

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/400,141	GALT ET AL.	
	Examiner	Art Unit	
	Rasha S AL-Aubaidi	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 December 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-13,16-20,28-33,35-49 and 57-59* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3, 5-13, 16-20, 28-33, 35-49, and 57-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

2. Claim 28 is objected to because of the following informalities: on page 6 of 26 of the amendment received 09/25/2003 and specifically on line 3 of amended claim 28, misspelled word "though" should be changed to **through**. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. Claims 1, 5, 31, 28-29, 35, 57 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow in view of Jain et al (US PAT # 6,104,799).

Regarding claim 1, Harlow teaches a method in a communications system for routing a call, the method comprising: receiving a call (see col.8, line 51); identifying call routing information for the call (this reads on the destination directory number see col.8, lines 52-60); responsive to identifying call routing information, determining whether a function has been selected for routing the call, routing the call using a sequence of destinations associated with the function associated with the function (see col.8, lines 36-47).

The claims have been amended to recite the feature of "monitoring results from routing of the call; and automatically modifying the call routing information based on the results to form modified call routing information, wherein subsequent calls are routed using the modified call routing information" on page 2 of 26 of the amendment filed 09/25/03.

The claimed feature reads on Jain system of monitoring calls that are intended for high-end customers. For example, for "automatically modifying the call routing information based on the results to form modified call routing information" which basically means calling the number where the last call was completed (see abstract, col.1, lines 29-42, and col.2, lines 3-28).

Therefore, it would have been obvious to modify the sequence in Harlow, as taught by Jain, so that the sequence remains updated when a party on the sequence changes location (business, home, wireless phone...etc). Updating the sequence will improve the chances of readily reaching the customer.

Claims 28, 31, 57, and 59 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding claims 5 and 35, Harlow teaches the call is routed to a subscriber associated with the "function". These claims will be rejected for the same reasons as claims 1 and 31. The "function" may also read on answering a call as taught by Jain.

Regarding claim 29, Harlow teaches the request sent from the signaling interface to the database is sent to a service control point (reads on SCP 170), which provides an interface to the database (175).

4. Claims 2-3, 6, 30, 32-33, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow in view of Jain et al and further in view of Brennan.

Claims 2 and 32 recite responsive to identifying call routing information, determining whether a call routing schedule based on time has been selected for routing the call; and responsive to a determination that a call routing schedule based on time is to be used, routing the call using a call routing schedule based on time. Brennan teaches allowing the subscriber to specify a time schedule for the call routing (see col. 6, lines 50-68 and col.7, lines 1-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of specifying a time schedule for the call routing, as described by Brennan, in the combination of Harlow in view of Jain system in order to give the subscriber the option of accepting phone calls at a convenient time and based on their schedule and availability. In addition to that Jain teaches that a customer may specify accepting calls during certain hours (see col. 1, lies 29-42).

Regarding claims 3 and 33, Brennan teaches the method further comprising: responsive to a determination that a function has been selected for routing the call (the function reads on specifying time in Brennan), determining whether a time period for the function has expired (this reads on the subscriber adjusting or extending the time schedule, see col. 8, lines 54-60); responsive to a determination that a time period for the function has expired, routing the call; and routing the call using a call routing schedule based on time instead of using the sequence of destinations associated with the function.

Claims 6 and 36 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding claim 30, Harlow teaches service control point (SCP 170) comprising: an input/output interface (this reads on computer 112 connected to a telephone, see Fig.1), wherein a request for routing information is received from a requestor (this reads on the SSP 110 for example that is connected to 112) at the input/output interface and routing information returned to the requestor a database (175) containing a plurality of calling sequences for subscribers; and a processing (reads on 113) unit connected to input/output interface and the database, wherein the processing unit has a plurality of modes of operation including: a first mode of operation in which the processing unit monitors for requests for routing information; a second mode of operation, responsive to receiving a request, in which the processing unit identifies routing information for the

call; a third mode of operation, responsive to identifying routing information for the call, in which the processing unit determines whether a function has been selected for routing the call; a fourth mode of operation, responsive to a determination that a function has been selected for routing the call, in which the processing unit sends routing information for the call using a sequence of destinations associated with the function. The claimed "fifth mode of operation" which is responsive to an absence of a determination that a function has been selected for routing the call, in which the processing unit sends routing information for the call using a call routing schedule based on time simply reads on absence of changes to the schedule or sequence, as taught by Brennan, the normal "time" schedule will be used. Tables 3.0 and 4.0 in Brennan teach the use of TIME. Thus, if no changes (no function) are made, the TIME routing will be used. Claim 30 has been amended to recite the feature of "monitoring results from routing of the call; and automatically modifying the call routing information based on the results to form modified call routing information, wherein subsequent calls are routed using the modified call routing information" which are taught by Jain.

5. Claim 7-13, 37-44 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foladare et al (US PAT # 6,330,322).

Claims 7 and 43 recite a method in a communications system for call routing a call, the method receiving a call to a subscriber; routing the call to the subscriber using

a sequence of destinations associated with the subscriber; and responsive to a success of routing the call to the subscriber to a destination within the sequence of destinations, automatically modifying the sequence of destinations used to call the subscriber, wherein the sequence of destinations is modified to favor destinations with successful call completions.

Foladare teaches routing the call to the current location of the subscriber based on retrieving messages from the current location. It does not explicitly teach routing to the current location based on the success of routing a call. However, there is more than one method that may be used to update the current location of the user (e.g., when user makes an outgoing call or receives an incoming call). The motivation is to always use the current location of the user to increase the success rate of reaching the user.

Claims 37 and 58 are rejected for the same reason with respect to claim 7.

Regarding claim 8, Foladare not specifically teaches the sequence of destinations is modified to favor destinations with a selected level of call completions, but this feature will be obvious.

Regarding claims 9 and 38which recite responsive to detecting initiation of a call by the subscriber from an origin absent from the sequence of destinations, modifying the sequence of destinations to include the origin as a destination within the sequence

of destinations, this is an obvious feature, basically one can modify and add any destination to the list of destinations.

Regarding claims 10 and 39, Foladare teaches the origin is included as a destination within the sequence of destinations for a period of time (see Abstract, see col.1, lines 41-47).

Regarding claims 11 and 40, wherein the calling line identifier is recorded to identify the origin from which the subscriber initiated the call (this feature is obvious).

Regarding claims 12 and 41, Foladare teaches the sequence of destinations is associated with a time slot (this basically reads on routing the call to the required telephone number at a certain time of the day, see col. 4, lines 47-54).

Regarding claims 13 and 42, Foladare teaches the sequence of destinations is associated with a function (this reads on the call forwarding function for example, when calling party trying to reach a subscriber at the specified location).

Regarding claim 44, which recites monitoring results from routing of the call to the subscriber; and automatically modifying the call routing information based on the results to form modified call routing information, wherein subsequent calls are routed using the modified call routing information, this is obvious, since this basically reads on routing the

call from the primary number to the secondary number in the case of busy or no answer.

6. Claims 16-18, and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arbel (US PAT # 5,276,731).

Regarding claim 16, Arbel discloses a method and apparatus for handling incoming telephone calls and, in particular for transferring calls from a first target to a second target (see table in col.10 lines 10-28).

However, Arbel does not teach the feature of the transferring calls to a third target.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to extend the feature of transferring from a first target to a second target and further into a third target destination. This simply expands the services to include more destinations.

Claim 45 is rejected for the same reasons as discussed above with respect to claim 16.

Regarding claims 17 and 46, obviously the table on col.10 of Arbel is programmable and the operator/second target or the third target may be exchanged. For example, there may be certain times when the operator is preferred as a second or a third target.

Regarding claims 18 and 47, Arbel teaches the temporary period of time is a day (for example, see col.10, table chart).

7. Claims 19-20 and 48-49 rejected under 35 U.S.C. 103(a) as being unpatentable over Arbel in view of Foladare.

Arbel does not explicitly teach that responsive to the third destination being answered over a period of time, setting the third destination as the second destination, However, based on the availability of which destination will answer the phone first will be placed as the primary to the first destination. Foladare teaches this claimed limitation as discussed above with respect to claims 7 and 43. The advantages of modifying the destinations are discussed in Foladare. The same applies to claims 20 and 49.

Response to Arguments

8. Applicant's arguments filed 12/19/2003 have been fully considered but they are not persuasive.

Regarding applicant's argument for claims 7-13, 37-44, and 58, examiner would like to bring to applicant's attention that there is more than one method that may be used to update the current location of the user (e.g., when user makes an outgoing call or receives an incoming call). The motivation is to always use the current location of the user to increase the success rate of reaching the user. Also, since applicant is now challenging the examiner's obviousness statement, examiner is now introducing the reference Jain (US Pat # 6,104,799), which teaches calling the number where the last

call was completed (see abstract, col.1, lines 29-42, and col.2, lines 3-28). This is equivalent to the teachings of Foladare.

Regarding applicant's argument for claims 16-18 and 45-47, applicant argues that Arbel does not teach transferring the call to a third party, however, that is merely an expansion of the transfer feature as taught by Arbel. A call that is transferred to a second destination may obviously be transferred to a third, fourth and so forth. In reality a call may be transferred as many times as needed. In applicant's own office, a call may get transferred as many times as needed.

9. Other applicant's arguments with respect to claims 1-6, 28-36, 57 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Examiner

Rasha S Al-Aubaidi

02/25/2004